

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JOHN BABAROVICH, a married man,

Plaintiff,

vs.

STANDARD GUARANTY INSURANCE
COMPANY, a Delaware corporation,

Defendant.

Case No.: _____

**DECLARATION OF KEVIN A.
MICHAEL IN SUPPORT OF
DEFENDANT STANDARD
GUARANTY INSURANCE
COMPANY'S NOTICE OF
REMOVAL**

I, Kevin A. Michael, declare and state as follows:

1. I am over the age of 18 am competent to testify to the matters set forth herein. I am one of the attorneys representing defendant Standard Guaranty Insurance Company ("SGIC"). I submit this declaration based on my personal knowledge and belief in support of SGIC's Notice of Removal.

2. Attached as **Exhibit 1**, is a true and correct copy of a Certified Mail Receipt post-marked July 30, 2019 confirming when the Insurance Commissioner forwarded service of process to SGIC.

3. Attached as **Exhibit 2**, is a true and correct copy of the Complaint filed in the Superior Court of the State of Washington in and for the County of Snohomish, styled

DECLARATION OF KEVIN A. MICHAEL IN SUPPORT OF
DEFENDANT STANDARD GUARANTY INSURANCE
COMPANY'S NOTICE OF REMOVAL - 1

LAW OFFICES OF
COZEN O'CONNOR
A PROFESSIONAL CORPORATION
999 THIRD AVENUE
SUITE 1900
SEATTLE, WASHINGTON 98104
(206) 340-1000

1 *Babarovich v. Standard Guaranty Insurance Company*, Case number 19-2-06599-31 (the
2 “State Court Action”).

3 4. Attached as **Exhibit 3**, is a true and correct copy of the Certificate of Service
4 from the Insurance Commissioner of the State of Washington (the “Insurance Commissioner”)
5 confirming that the Insurance Commissioner accepted service of the Summons and Complaint
6 on July 29, 2019 on behalf of and as statutory attorney for SGIC.

7 5. Attached as **Exhibit 4** is a true and correct copy of the Georgia Secretary of
8 State Corporations Division website and the 2018 Annual Statement of SGIC, which confirm
9 that SGIC is incorporated in Delaware and maintains its principal place of business in Atlanta,
10 Georgia.

11 7. Attached hereto as **Exhibit 5**, is a true and correct copy of the Summons to
12 SGIC dated June 19, 2019.

13 8. Attached hereto as **Exhibit 6**, is a true and correct copy of the Order Setting
14 Civil Case Schedule for the State Court Action.

15 9. Attached hereto as **Exhibit 7** is a true and correct copy of the Acceptance of
16 Service by the Insurance Commissioner of the State of Washington.

17 10. Attached hereto as **Exhibit 8** is a true and correct copy of Plaintiff’s Motion
18 and Declaration for Order of Default.

19 11. Attached hereto as **Exhibit 9** is a true and correct copy of the August 21, 2019
20 Order of Default against SGIC.

21 12. Attached hereto as **Exhibit 10** is a true and correct copy of the August 29, 2019
22 Order vacating the August 21, 2019 Order of Default against SGIC.

23 I declare under penalty of perjury under the laws of the State of Washington that the
24 foregoing statements are true and correct.
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26

DECLARATION OF KEVIN A. MICHAEL IN SUPPORT OF
DEFENDANT STANDARD GUARANTY INSURANCE
COMPANY’S NOTICE OF REMOVAL - 2

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999 THIRD AVENUE
SUITE 1900
SEATTLE, WASHINGTON 98104
(206) 340-1000

1 DATED this 30th day of August, 2019.

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3 By: /s/ Kevin A. Michael
4 Kevin A. Michael
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DECLARATION OF KEVIN A. MICHAEL IN SUPPORT OF
DEFENDANT STANDARD GUARANTY INSURANCE
COMPANY'S NOTICE OF REMOVAL - 3

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SUITE 1900
SEATTLE, WASHINGTON 98104
(206) 340-1000

CERTIFICATE OF SERVICE

I hereby certify that on August 30, 2019, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all counsel of record.

Also, on August 30, 2019, I caused the foregoing document to be served upon counsel of record at the address and in the matter described below:

Gregory L. Ursich, WSBA No. 18614
 Inslee, Best, Doezie & Ryder, PS
 10900 NE 4th St., Suite 1500
 Bellevue, WA 98004
 Phone: (425) 450-4266
 Email: gursich@insleebest.com
Counsel for Plaintiff

() Via Legal Messenger
 () Via Overnight Courier
 () Via Facsimile
 (X) Via U.S. Mail
 (X) Via Email

SIGNED AND DATED this 30th day of August, 2019.

COZEN O'CONNOR

By: /s/ Leslie Yamashita
 Leslie Yamashita, Legal Assistant

999 Third Avenue, Suite 1900
 Wells Fargo Center
 Seattle, WA 98104
 Telephone: 206.340.1000
 Toll Free Phone: 800.423.1950
 Facsimile: 206.621.8783

LEGAL\22804365\1 88888.8888.888/803159.000

DECLARATION OF KEVIN A. MICHAEL IN SUPPORT OF
 DEFENDANT STANDARD GUARANTY INSURANCE
 COMPANY'S NOTICE OF REMOVAL - 4

LEGAL\42496124\1

LAW OFFICES OF
COZEN O'CONNOR
 A PROFESSIONAL CORPORATION
 999 THIRD AVENUE
 SUITE 1900
 SEATTLE, WASHINGTON 98104
 (206) 340-1000

EXHIBIT 1



OFFICE OF THE INSURANCE
COMMISSIONER

P.O. BOX 40255
OLYMPIA, WA 98504-0255

CERTIFIED MAIL



7016 1830 0001 0245 0822

USPS CERTIFIED MAIL

ZIP 98504-0255
P.O. BOX 40255
OLYMPIA, WA 98504-0255

2019



STANDARD GUARANTY INSURANCE
COMPANY
CORPORATION SERVICE COMPANY
300 DESCHUTES WAY SW SUITE 304
TUMWATER WA 98501

EXHIBIT 2

Insurance Commissioner
ACCEPTED SOP

JUL 29 2019

TIME: 2pm

FILED

JUL 19 2019

SONYA KRASKI
COUNTY CLERK
SNOHOMISH CO. WASH.

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF SNOHOMISH

JOHN BABAROVICH, a married man,

Plaintiff,

vs.

STANDARD GUARANTY INSURANCE
COMPANY, a Delaware corporation,

Defendant.

NO. **19 2 06599-31**

COMPLAINT FOR BREACH OF
CONTRACT, BAD FAITH, VIOLATION
OF THE INSURANCE FAIR CONDUCT
ACT, AND CONSUMER PROTECTION
ACT

COMES NOW the Plaintiff, John Babarovich, a married man, and hereby states his
complaint against Defendant as follows.

I. PARTIES

1.1 Plaintiff, John Babarovich ("Babarovich"), is a married man residing in King
County, Washington, at all material times.

1.2 Defendant Standard Guaranty Insurance Company ("Standard Guaranty") is a
Delaware corporation doing business in the State of Washington in the County of Snohomish at
all material times.

COMPLAINT FOR BREACH OF CONTRACT, BAD FAITH,
VIOLATION OF THE INSURANCE FAIR CONDUCT ACT,
AND CONSUMER PROTECTION ACT - Page 1

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1.3 Babarovich owns a 2.2 acre residential property in Everett, Washington, located at 13024 and 13024 ½ 3rd Avenue S.E., Everett, WA 98208, located in Snohomish County.

II. VENUE AND JURISDICTION

2.1 Venue and jurisdiction are proper in this Court as Babarovich owns property in Snohomish County, Washington, and Standard Guaranty issued homeowner / fire insurance policies on the subject property through lender, Wells Fargo Bank, N.A., for the policy periods between July, 2014 to July, 2015, and again from July, 2015 through July, 2016, insuring the Babarovich property against fire loss and damages.

2.2 Venue is proper in the Snohomish County Superior Court because Babarovich owns property which is the subject of this action in Snohomish County, Washington, and Standard Guaranty issued insurance policies insuring property located in Snohomish County, Washington.

III. BACKGROUND FACTS

3.1 Barbarovich purchased a 2.2 acre residential property in Everett, Washington, with two single family homes and an out building on the same property, located at 13024 and 13024 ½ 3rd Avenue S.E., Everett, WA 98208 in March 2001. ("Subject Property").

3.2 Babarovich obtained mortgage loans on the subject property from several lenders, including Wells Fargo Bank, N.A. Both homes on the subject property were fully renovated by Babarovich in 2001. Both homes were then rented out beginning in approximately September 2001. They were continuously rented until approximately 2014.

3.3 Babarovich suffered financial difficulties during the financial crisis between 2008 and 2016. As a result of his financial difficulties, Babarovich was unable to afford

1 homeowner / fire insurance beginning in 2014 on the Everett subject property, which was a
2 rental and investment property for him.

3 3.4 Standard Guaranty issued an insurance policy under Policy No.
4 MLR21207386180, with an effective date from July 21, 2014 to July 21, 2015, on the subject
5 property in Everett, Washington, owned by Babarovich. The policies referenced a name insured
6 of lender Wells Fargo Bank, N.A., with intended third-party beneficiary, borrower, Babarovich,
7 listed as the owner of the subject property. The premium of \$1,057.00 was charged to
8 Babarovich through his escrow account held by Wells Fargo Bank, N.A., on his mortgage.

9 3.5 Standard Guaranty issued a second homeowner / fire insurance policy on the
10 subject property in Everett, Washington, with effective dates between July 21, 2015 and July
11 21, 2016, to lender Wells Fargo Bank, N.A., which is owned by Babarovich, with Babarovich
12 listed as the borrower / owner and as intended third party beneficiary of the insurance policy.
13 This policy was issued under Policy No. MLR21207484114. The premium amount of \$1,057.00
14 was charged to Babarovich's Wells Fargo Bank escrow account to be paid by Babarovich. A
15 copy of the Declarations Page for each policy are attached as Exhibit A.

16 3.6 During a period of time during the great recession, beginning in 2014, the subject
17 property owned by Babarovich were vacant for some time with no renters present. During this
18 time, three separate fires occurred at the subject property in Everett, Washington.

19 3.7 The Snohomish County Fire Department responded to an outbuilding shed fire
20 at the 13024 3rd Avenue S.E., Everett, Washington property on October 24, 2015. The
21 Snohomish County Fire Department responded to a second fire on the subject property involving
22 a single family dwelling on the subject property on March 23, 2016. A third fire occurred at the

23 COMPLAINT FOR BREACH OF CONTRACT, BAD FAITH,
24 VIOLATION OF THE INSURANCE FAIR CONDUCT ACT,
AND CONSUMER PROTECTION ACT - Page 3

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1 second single family dwelling on property to which the Snohomish County Fire Department
2 responded on June 3, 2016.

3 3.8 Babarovich was able to recover financially and in September, 2017, he was in
4 the process of refinancing the subject property in Everett, Washington, and obtained a payoff
5 statement from Wells Fargo Home Mortgage for his loan no. 0482277282. Wells Fargo Bank,
6 N.A., sent Babarovich a payoff letter, which detailed the payoff amounts and included reference
7 to a restricted escrow balance: \$14,393.06," which is identified as a property insurance claim
8 payable on a fire loss on the property. Page 3 of the payoff statement also reflected a
9 disbursement made from the real estate loan escrow account on behalf of Babarovich and
10 charged back to him of homeowners' insurance in the amount of \$1,057.00 on July 28, 2015. A
11 copy of Wells Fargo's payoff letter is attached as Exhibit B.

12 3.9 After Babarovich's refinance on the subject property was completed in early
13 2018, Babarovich received a letter and check from Wells Fargo Home Mortgage identified as
14 the final disbursement of "insurance claim funds" on Mortgage Account No. 0482277282 for
15 property address 13024 3rd Avenue S.E., Everett, Washington. The letter was enclosed with a
16 check for \$14,393.06, which was negotiated by Babarovich on the insurance claim presumably
17 related to the first fire loss for the out building fire that occurred in October, 2015, on the subject
18 property. This letter and copy of the check is attached as Exhibit C.

19 3.10 Babarovich then made subsequent insurance claims to Standard Guaranty under
20 Claim Nos. 00200890662, 00102227342, and 00200897165, on the two insurance policies
21 issued by Standard Guaranty. These claims were filed by Babarovich on June 16, 2017 with
22 Standard Guaranty.

23 COMPLAINT FOR BREACH OF CONTRACT, BAD FAITH,
24 VIOLATION OF THE INSURANCE FAIR CONDUCT ACT,
AND CONSUMER PROTECTION ACT - Page 4

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1 3.11 All three insurance claims filed by Babarovich were summarily denied by
2 Standard Guaranty. The only reason given was that the policies had somehow been canceled
3 previously and retroactively by Wells Fargo Bank, N.A.

4 3.12 In a response to a Complaint filed with the Insurance Commissioner of the State
5 of Washington, Standard Guaranty wrote a letter claiming that somehow the two homeowner /
6 fire insurance policies had been canceled **PRIOR TO** the three reported fires on the subject
7 property. A copy of this letter is attached as Exhibit D.

8 3.13 The reported cancellation of the policies by Standard Guaranty is in conflict with
9 the insurance payment made to Mr. Babarovich on the refinance of his loan on the subject
10 property.

11 3.14 Standard Guaranty provided copies of the alleged cancellation letters which were
12 issued by Wells Fargo Bank, N.A., and sent to property owner / borrower Babarovich on August
13 12, 2016, August 12, 2016, and August 9, 2016. All three letters attempt to cancel the
14 homeowner / fire insurance policies retroactively over a year prior to the date of the cancellation
15 letters. Copies of these three letters are attached as Exhibit E.

16 3.15 Standard Guaranty also issued a Notice of "Lender-Placed Insurance
17 Confirmation of Cancellation" dated August 9, 2016, and addressed to Wells Fargo Bank and to
18 borrower / owner Babarovich for the subject property and for the insurance policy in effect from
19 July 15, 2015, to July 15, 2016. The cancellation notice attempts to state that the cancellation
20 was effective as of July 25, 2015, when the notice was dated over one year after the policy had
21 been fully in force for a year later on August 9, 2016. A copy of this notice of cancellation is
22 attached as Exhibit F.

A. First Cause of Action: Breach of Contract And Third Party Intended Beneficiary

4.2 Standard Guaranty is in breach of its insurance contracts under Policy Nos. MOR21207386180 and MLR21207484114 for bad faith failure to properly adjust and pay the fire loss claims of Babarovich on the subject property insured in Everett, Snohomish County, Washington, for resulting fires that occurred on October 24, 2015, March 23, 2016, and June 3, 2016, all during the insured policy period.

4.3 Babarovich is an intended third party beneficiary of the insurance contracts issued to lender Wells Fargo Bank, N.A., on behalf of borrower / owner Babarovich insuring the subject property owned by Babarovich in Everett, Snohomish County, Washington. Babarovich paid the insurance premiums on the two fire insurance policies issued by Standard Guaranty, including amounts of \$1,057.00 each for the policy period of July, 21, 2014 to July 21, 2015, and for July 21, 2015 to July 21, 2016. Insurance premiums are reflected as being charged to the escrow account at the subject property of Babarovich controlled by his lender, Wells Fargo Bank, N.A.

1 4.4 The breach of contract by Standard Guaranty is in violation of RCW 48.18.290,
 2 which requires the insurer to mail or deliver personally written notice of cancellation to both the
 3 named insured and each mortgagee or other person shown by the policy to have an interest in
 4 the property "at least five days before the effective date of the cancellation." The notice of
 5 cancellations relied upon by Standard Guaranty are dated August, 2016, months after the
 6 reported fire losses and after the insurance company paid at least one of the fire losses to the
 7 restricted escrow account of Wells Fargo Bank, N.A. The notices of cancellation submitted by
 8 Standard Guaranty are also in violation of RCW 48.53.040 in regard to cancellation of a fire
 9 insurance policy for failing to do so at least five days prior to the cancellation date of the
 10 insurance policy. In particular, RCW 48.53.040 requires that each mortgagee or other person
 11 with the interest in the property insured (here, Plaintiff Babarovich) to be given twenty days
 12 prior notice of cancellation for a fire insurance policy.

13 **B. Second Cause of Action: Breach of the Insurance Fair Conduct Act**

14 4.5 Standard Guaranty has violated the Washington State Insurance Fair Conduct
 15 Act, RCW 48.30.010, by unreasonably denying a claim for coverage or payment of benefits
 16 under its homeowners/fire insurance policies to Babarovich.

17 4.6 Standard Guaranty has unreasonably denied the claim for coverage and payment
 18 of insurance benefits to Babarovich based on them attempting to retroactively cancel the
 19 homeowner / fire insurance policy in August, 2016, retroactive back to July, 2015, in violation
 20 of Washington State Statutes.

21 4.7 Under RCW 48.30.015, Babarovich is entitled for compensation for his actual
 22 losses in an amount to be determined at trial on this action, but no less than \$200,000, and also

1 an award of his attorneys' fees and costs and a treble award of his actual damages based on the
2 unreasonable conduct of the insurer, Standard Guaranty.

3 4.8 The unfair and unreasonable conduct of Standard Guaranty in regards to these
4 fire losses is further illustrated by the fact that Babarovich has been charged an insurance
5 premium of \$1,057.00 through Wells Fargo Bank, N.A., for the insurance policy period between
6 July, 2015 and July, 2016, and received an insurance payment settlement for the outbuilding fire
7 loss on October 24, 2015, in excess of \$14,000.00, yet Standard Guaranty continues to deny the
8 existence of the policy being in place for the two other fires on this subject property in Everett,
9 Washington, in 2016.

10 **C. Breach of Washington State Consumer Protection Act**

11 4.9 By violating RCW 48.182.90 and RCW 48.53.040 regarding proper notice of
12 cancellation of a fire insurance policy, as well as violation of the Unfair Claims Settlement
13 Practices Act under WAC 284-30-330, WAC 284-30-350 and other subsections, Standard
14 Guaranty is in violation of the Washington State Consumer Protection Act for its actions towards
15 claimant / insured Babarovich.

16 4.10 Violation of the Washington State Unfair Claims Settlement Practices Act, WAC
17 284-30, *et seq.*, constitutes a *per se* violation of the Washington State Consumer Protection Act,
18 RCW 19.86, *et seq.*

19 4.11 As a result of these violations of the Washington State Consumer Protection Act,
20 Babarovich is entitled to an award of his actual damages, treble damages, and his attorneys' fees
21 and costs related to the unfair denial and refusal to pay benefits under the fire insurance policies
22 issued by Standard Guaranty.

23 **D. Fourth Cause of Action: Bad Faith and Breach of the**

24 COMPLAINT FOR BREACH OF CONTRACT, BAD FAITH,
VIOLATION OF THE INSURANCE FAIR CONDUCT ACT,
AND CONSUMER PROTECTION ACT - Page 8

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Implied Covenant of Good Faith and Fair Dealing

4.12 Because Babarovich's claims were wrongly denied, the Acts of Standard Guaranty are unlawful and violate Public Policy, but Babarovich was harmed, then Standard Guaranty has acted in Bad Faith.

4.13 As a result of the bad faith conduct of Standard Guaranty, Babarovich is entitled to recover all his losses on the subject fire claims, including those in excess of policy limits, as allowed under statutory provisions and under case law of the State of Washington.

V. PRAYER FOR RELIEF

5.1 Babarovich, having fully pled his claims for relief against Standard Guaranty, hereby seeks the following relief:

1. An order and judgment from the Court finding Standard Guaranty Insurance to be in breach of its insurance contract with Babarovich as an intended third-party beneficiary of such contract for the insurance on his Everett property.

2. An order and judgment from the Court finding that Standard Guaranty has violated the Insurance Fair Conduct Act, RCW 48.30, *et seq.*, and is liable to Babarovich for an award of the insurance claim benefits, a treble award of damages, and his attorneys' fees and costs.

3. An order and judgment from the Court finding that Standard Guaranty is liable for breach of the Washington State Consumer Protection Act, RCW 19.86, *et seq.*, including an award for Babarovich's actual damages, treble damages, and his attorneys' fees and costs.

4. An order and judgment from the Court finding that Standard Guaranty has acted in bad faith and in breach of the implied covenant of good faith and fair dealing in

COMPLAINT FOR BREACH OF CONTRACT, BAD FAITH,
VIOLATION OF THE INSURANCE FAIR CONDUCT ACT,
AND CONSUMER PROTECTION ACT - Page 9

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1 insurance contracts by unreasonably denying insurance benefits payable to Babarovich and
2 failing to follow Washington State law regarding reasonably settling claims in conformance with
3 the terms of their own insurance policy.

4 5. For other just and further relief as ordered by the Court.

5 DATED this 19 day of July, 2019.

6 INSLEE, BEST, DOEZIE & RYDER, P.S.

7 By Gregory L. Ursich
8 Gregory L. Ursich, W.S.B.A. #18614
9 Attorneys for Plaintiff
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23 COMPLAINT FOR BREACH OF CONTRACT, BAD FAITH,
24 VIOLATION OF THE INSURANCE FAIR CONDUCT ACT,
AND CONSUMER PROTECTION ACT - Page 10

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EXHIBIT A

SEP. 11. 2017 1:03PM

WELLSFARGO 210 624 6380

NO. 560 P. 12

DECLARATIONS

STANDARD GUARANTY INSURANCE COMPANY

PO BOX 50355, ATLANTA, GA 30302

A Stock Insurance Company

CERTIFICATE NUMBER: MLR21207386180

CERTIFICATE PERIOD: EFFECTIVE DATE 07/21/2014		EFFECTIVE TIME 12:01 am	EXPIRATION DATE 07/21/2015	Issued under the provisions of Master Policy No.: MIP-RCH-02115-99
NAMED INSURED and Mailing Address: WELLS FARGO BANK, N.A., #512 ITS SUCCESSORS AND/OR ASSIGNS PO BOX 7512 SPRINGFIELD, OH 45501-7512			For Company Use: Basic: Territory: 0001 Class: Other: FIR SFD 021200000	
DESCRIBED LOCATION. The property covered by this Certificate is at the described location unless otherwise stated: 13024 3RD AVENUE SE EVERETT, WA 98208				
COVERAGE AND LIMITS OF LIABILITY - Coverage is provided only where a premium is shown for the coverage, subject to all conditions of this Certificate.				
RESIDENTIAL PROPERTY:				
<u>LIMIT OF LIABILITY</u>		<u>DEDUCTIBLES</u>		<u>PREMIUM</u>
Coverage A - \$184,000		All Perils:		\$1,000
Coverage B - 10% of Coverage A				\$1,025.00
				TOTAL PREMIUM
				\$1,025.00
COMMERCIAL PROPERTY:				
<u>LIMIT OF LIABILITY</u>		<u>DEDUCTIBLES</u>		<u>PREMIUM</u>
Building -		All Perils:		
				TOTAL PREMIUM
Optional Coverages, Assessments, Surcharges, Taxes, Fees (if applicable):				
				TOTAL AMOUNT
				\$1,025.00
FORMS AND ENDORSEMENTS which are made a part of this Certificate at the time of issuance: MIP 223 SG (01-12), MIP 233 (01-12), MIP 243 WA (08-12), NOT1111 (06-12), MIP 219 (01-12) MIP 239 WA (08-12)				
BORROWER - Name and address: JOHN A BABAROVICH PO BOX 1429 VASHON, WA 98070-1429				
Loan No.: 0016845901				

CLAIMS: 1-800-652-1262

Issue Date: 10/17/2014

ALL OTHER INQUIRIES:
1-866-246-9498

Countersignature (where required)

MIP 221 SG (01-12)

Page 1 of 1

EXHIBIT

MIP221SG010614

SEP. 11. 2017 1:13PM

WELLSFARGO 210 624 6380

NO. 560 P. 31

DECLARATIONS

STANDARD GUARANTY INSURANCE COMPANY

PO BOX 50355, ATLANTA, GA 30302

A Stock Insurance Company

CERTIFICATE NUMBER: MLR21207484114

CERTIFICATE PERIOD:		Issued under the provisions of	
EFFECTIVE DATE	EFFECTIVE TIME	EXPIRATION DATE	Master Policy No.:
07/21/2015	12:01 am	07/21/2016	MIP-RCH-02115-99
NAMED INSURED and Mailing Address:		For Company Use:	
WELLS FARGO BANK, N.A., #512 ITS SUCCESSORS AND/OR ASSIGNS PO BOX 7512 SPRINGFIELD, OH 45501-7512		Basis: Territory: 0001 Class: Other: FIR SPD 021200000	
DESCRIBED LOCATION. The property covered by this Certificate is at the described location unless otherwise stated: 13024 3RD AVENUE SE EVERETT, WA 98208			
COVERAGE AND LIMITS OF LIABILITY - Coverage is provided only where a premium is shown for the coverage, subject to all conditions of this Certificate.			
RESIDENTIAL PROPERTY:			
<u>LIMIT OF LIABILITY</u>		<u>DEDUCTIBLES</u>	<u>PREMIUM</u>
Coverage A - \$192,423	All Perils:	\$1,000	\$1,057.00
Coverage B - 10% of Coverage A			
		TOTAL PREMIUM	\$1,057.00
COMMERCIAL PROPERTY:			
<u>LIMIT OF LIABILITY</u>		<u>DEDUCTIBLES</u>	<u>PREMIUM</u>
Building -	All Perils:		
		TOTAL PREMIUM	
Optional Coverages, Assessments, Surcharges, Taxes, Fees (if applicable):			
		TOTAL AMOUNT	\$1,057.00
FORMS AND ENDORSEMENTS which are made a part of this Certificate at the time of issuance: MIP 223 5G (01-12), MIP 233 (01-12), MIP 243 WA (08-12), NOT1111 (06-12), MIP 219 (01-12) MIP 239 WA (08-12)			
BORROWER - Name and address: JOHN A BABAROVICH PO BOX 1429 VASHON, WA 98070-1429			
Loan No.: 0016845901			

CLAIMS: 1-800-652-1262

Issue Date: 08/03/2015

ALL OTHER INQUIRIES:

1-866-246-9498

Countersignature (where required)

Page 1 of 1

EXHIBIT

B
MIP2150R-0514

EXHIBIT B



Return Mail Operations
PO Box 10368
Des Moines IA 50306-0368

September 28, 2017

John A Babarovich
Po Box 1429
Vashon WA 98070

Wells Fargo Home Mortgage has attached a payoff statement for your review.

Mortgagor: John A Babarovich
Property address: 13024 3rd Avenue SE
Everett WA 98208

708 Loan number: 0482277282 Loan type: Conventional

Your loan interest is calculated on a daily basis. This means that we will collect interest until the day we receive the payoff funds.

We may continue to make your real estate tax and property insurance premium payments from your escrow account. If you have questions about pending disbursements, please call us. Any amount held in escrow at closing will be settled in accordance with the applicable federal law.

Please be sure to take care of these important items to avoid unnecessary expense and delay:

- * Planning to move. If you're planning to move, please be sure to provide us with your new mailing address on the enclosed Payoff Transmittal Form. We'll send you any remaining balance in your escrow account, year-end interest statements, and other documents to your new address.
- * Automatic mortgage payments. Contact your provider (us, Bill Pay, a third party, Internet banking site, etc.) to cancel automatic payments at least 5 business days before your next scheduled withdrawal date.
- * We need to stop payment. Don't place a stop payment on check or draft you've made. We'll refund any remaining balance. We may adjust the figures if a previously credited mortgage payment is rejected by the financial institution from which it is drawn.

If you have questions or need further assistance, please contact us at 1-866-605-0829, Monday - Friday, 7:00 a.m. to 7:00 p.m. Central Time.

September 28, 2017

Page 2 - 708 Loan number 0482277282

Mortgage Payoff Statement:

John A Babarovich
Po Box 1429
Vashon WA 98070

Mortgagor: John A Babarovich
Property address: 13024 3rd Avenue SE
Everett WA 98208

708 Loan number: 0482277282

Loan type: Conventional

All figures are subject to final verification by the noteholder. The TOTAL AMOUNT DUE of \$ 256,474.83 is based on the payoff/closing date of 10-20-17.

1. TOTAL PRINCIPAL, INTEREST, AND OTHER AMOUNTS DUE UNDER NOTE/SECURITY INSTRUMENT

(Total amount required for reconveyance)

Note: This Note/Security Instrument is due for payment December 01, 2011

Unpaid Principal Balance	\$	140,238.07
Interest as of 10-20-17		61,046.41
Escrow Overdraft		52,562.50
Unpaid Advance balance		511.82
Unpaid Late Charges		600.03

TOTAL AMOUNT DUE UNDER NOTE/SECURITY INSTRUMENT	\$	255,018.83
--	-----------	-------------------

2. ADDITIONAL CONTRACTUAL AND OTHER FEES AND CHARGES DUE

(Payment of these charges is NOT a condition for the release or reconveyance of the security instrument)

Other Charges		820.00
Recording Costs		74.00
Property Inspection		.00
Obligation Fee		.00
Foreclosure Fee/Cost		562.00
Special Handling		.00
TOTAL CONTRACTUAL AND OTHER FEES AND CHARGES DUE	\$	1,456.00
TOTAL AMOUNT DUE through 10-20-17	\$	256,474.83

*RESTRICTED ESCROW BALANCE: \$ 14,393.06

As of the date of this statement, \$ 14,393.06 received from a property insurance claim are being held in restricted escrow. All or some of such funds can be applied to the total amount due, if not used to pay for repairs to the property, including claims of third parties such as contractors. If you have questions about the application of these funds, please call us at 1-866-605-0829.

This is a foreclosure case, we may continue with legal proceedings. Any fees, costs and advances for taxes and insurance payments may also be due in addition to the amount quoted above. The payoff figure quoted to you is subject to change without notice. We have the right to correct errors or omissions.

September 28, 2017

Page 3 - 708 Loan number 0482277282

Timing of loan payoff:

Total amount due is good through 10-20-17, or until any activity occurs on the account. Funds received after that date will be subject to an additional \$ 28.02 of interest per Day. Issuance of this statement does not suspend the contractual requirement to make payments when due.

We may adjust figures in this statement, if prior to the payoff date:

- * We make disbursements from Restricted Escrow to pay for repairs.
- * We make additional mortgage insurance premium payments.
- * We make disbursements from your escrow account for items due.
- * Any check/electronic withdrawal previously credited to your account is rejected by the financial institution from which it is drawn.

Recent escrow disbursement amounts and dates:

Real estate taxes:	\$	2,924.11	04-10-17
Homeowners Insurance	\$	1,057.00	07-28-15

Important Information:

- * If you do not send sufficient funds to pay your mortgage loan in full, we will apply funds from your escrow account to complete the payoff.
- * Interest will continue to accrue until we receive full payment.
- * After payoff, we will release the lien on the property in accordance with state law. Direct any questions or requests about the lien release to: Wells Fargo Home Mortgage
PO Box 10335, Des Moines, IA 50306

Where appropriate, Wells Fargo Home Mortgage is required to inform you that, as your account servicer, we are attempting to collect a debt and any information obtained will be used for that purpose. However, if you are a customer involved in an active bankruptcy case or you received a discharge in a bankruptcy case where the account was not otherwise reaffirmed or excepted from discharge, then this notice is being provided to you for informational purposes only, and this is not a bill or a request for payment as to any such customer(s).

September 28, 2017

Page 4 - 708 Loan number 0482277282

Payoff Transmittal Form:

Please review and complete this form. We prefer that you send the funds by wire as it is the fastest way to complete the payoff. If wire transfer is not an option, we prefer a cashier's check or certified funds.

WHERE TO SEND PAYOFF FUNDS

By WIRE: no checks

Wells Fargo Bank, N.A.

Beneficiary Bank ABA: 121000248

Beneficiary Bank Acct: 4126885896

Beneficiary Bank Address:

1 Home Campus

Des Moines IA 50328

Special Information for Beneficiary:

Apply funds to: 708 loan 0482277282

Mortgagor: John A Babarovich

Sender's Name and Phone Number

By MAIL: including OVERNIGHT

Wells Fargo Home Mortgage

Attn: Payoffs, MAC X2302-045

1 Home Campus

Des Moines IA 50328

Important Notes:

- * Funds must be received by 2:00 pm Central Time for same day processing.
- * Payoffs are not posted on weekends or holidays, and interest will be added to the account for these days.
- * All figures are subject to final verification by the noteholder.
- * If you wired funds and your mailing address is changing, please write your new address below and fax this form to 1-866-278-1179.

PAYOFF COUPON: Please detach and include with payoff funds.

 708 Loan number: 0482277282

Property address: 13024 3rd Avenue SE

Everett WA 98208

Current mailing address:

John A Babarovich

PO Box 1429

Vashon WA 98070

Please provide your new mailing address:

Street _____

City/State/ZIP _____

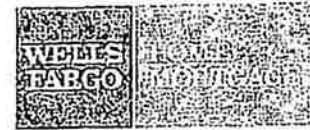
TOTAL PAYOFF AMOUNT: \$ 256,474.83

(includes additional contractual fees and other charges which are not a condition for the release or reconveyance of the security instrument)

THIS FIGURE IS GOOD THROUGH 10-20-17 AMOUNT REMITTED _____

EXHIBIT C

Wells Fargo Bank, NA
Property Loss Department
P.O. Box 4455
Springfield, Ohio 45501-4455



April 02, 2018

John A Babarovich
PO Box 1429
Vashon, WA 98070

PLEASE NOTE: This notice is being provided for informational purposes only. As a result of at least one bankruptcy case filing that includes the above referenced account, Wells Fargo Home Mortgage is NOT attempting in any way to violate any provision of the United States Bankruptcy Code or to collect a debt (deficiency or otherwise) from any customer(s) who is impacted by an active bankruptcy case or has received a discharge, where the account was not otherwise reaffirmed or excepted from discharge. THIS IS NOT A BILL OR A REQUEST FOR PAYMENT AS TO THESE CUSTOMER(S).

Subject: The final disbursement of insurance claim funds
Mortgage account number: 0482277282 client 703
Property address: 13024 3rd Avenue SE
Everett WA 98208

Dear John A Babarovich :

Thank you for completing the repairs on the property. Enclosed is a check for \$14393.06 which represents the final disbursement of the insurance funds and completes the claim process.

We hope this process has helped you quickly restore the property. If you receive any additional checks from the insurance company for this claim or need additional information, please visit InsuranceClaimCheck.com/wellsfargo, or call 1-888-882-1838, Monday through Friday, 8:00 a.m. to 6:00 p.m., or Saturday, 8:00 a.m. to 2:00 p.m. Central Time.

Property Loss Department
Wells Fargo Home Mortgage

Enclosure

LD346/A2T



P.O. Box 10335
Des Moines, IA 50305-0335

WELLS FARGO BANK N.A.
WELLS FARGO BANK N.A.
ESCROW DISB CLRNG/700

HCY 03A 0482277282
0482277262

CHECK NO.	MO/DAY/YR
7034185016	03/30/2018

AMOUNT
\$14,393.06

FOR PAYMENT OF RESTRICTED ESCROW

Fourteen Thousand Three Hundred Ninety Three and 06/100 Dollars

PAY TO
THE ORDER
OF

JOHN A BABAROVICH
PO BOX 1429
VASHON WA 98070-1429

[Signature]
AUTHORIZED SIGNATURE

⑈7034185016⑈ ⑆0910000⑆9⑆

6504701472⑈

Disbursement Check Voucher

PAYEE NAME JOHN A BABAROVICH
& ADDRESS PO BOX 1429
VASHON WA 98070-1429

CHECK NUMBER: 7034185016
CHECK DATE: 03/30/2018
PAYEE CODE: 0482277282

BATCH: HCY

PAGE 1 OF 1

LOAN NUMBER	SHORT NAME/ INIT NAME/ PROPERTY ADDRESS	DESCRIPTION	TRAN CODE	DATE	AMOUNT DUE
0482277282	JA BABAROVICH	FINAL	101		14,393.06

Check Totals:

1 Item

\$14,393.06

EXHIBIT D

EXHIBIT E



Wells Fargo Bank, N.A.
Hazard Insurance Processing Center

August 12, 2016

JOHN A BABAROVICH
PO BOX 1429
VASHON, WA 98070-1429

RE: Loan Number: 0482277282
Property Location:
13024 3RD AVENUE SE
EVERETT, WA 98208

Dear Customer:

Thank you for providing evidence of your insurance coverage. We have cancelled the policy we obtained on your behalf effective at 12:01 a.m. on 07/21/2015. The full premium amount charged of 51,057.00 will be refunded to your account.

In the future, acceptable proof of insurance can be sent to us via fax at 1-937-525-4108, or mail to the address shown below. Please make sure your policy references your loan number, and ensure that the Mortgage Clause on your policy reads:

WELLS FARGO BANK, N.A. #708
ITS SUCCESSORS AND/OR ASSIGNS
PO BOX 5708
SPRINGFIELD, OH 45501-5708

Loan Number: 0482277282

If you have any questions or believe there is an error in our records, please call us at 1-800-862-4098, Monday through Friday from 7:00 a.m. to 7:00 p.m., Central Time and one of our customer service professionals will be happy to help you. Thank you for your assistance.

Hazard Insurance Processing Center
Wells Fargo Bank, N.A.



Wells Fargo Bank, N.A.
Hazard Insurance Processing Center

August 12, 2016

JOHN A BABAROVICH
PO BOX 1429
VASHON, WA 98070-1429

RE: Loan Number: 0482277282
Property Location:
13024 3RD AVENUE SE
EVERETT, WA 98208

Dear Customer:

Thank you for providing evidence of your insurance coverage. We have cancelled the policy we obtained on your behalf effective at 12:01 a.m. on 02/25/2015. We are refunding you \$414.00 which represents the unearned premium.

According to the information you provided, you do not have coverage for the entire term for which we placed coverage. The policy we obtained on your behalf remains in force for the time period of 07/21/2014 to 02/25/2015. We have charged you a premium of \$622.00.

If you had other coverage during this period of time please mail a copy of your policy (with your account number referenced) to the address shown below or fax to 1-937-525-4108. Please be sure your policy includes your account number, and a Mortgage Clause or Lenders Loss Payable Endorsement made out to:

WELLS FARGO BANK, N.A. #708
ITS SUCCESSORS AND/OR ASSIGNS
PO BOX 5708
SPRINGFIELD, OH 45501-5708

Loan Number: 0482277282

If you have any questions or believe there is an error in our records, please call us at 1-800-862-4098, Monday through Friday from 7:00 a.m. to 7:00 p.m., Central Time and one of our customer service professionals will be happy to help you. Thank you for your assistance.

Hazard Insurance Processing Center
Wells Fargo Bank, N.A.



Wells Fargo Bank, N.A.
Hazard Insurance Processing Center

August 9, 2016

JOHN A BABAROVICH
PO BOX 1429
YASHON, WA 98070

RE: Loan Number: 0482277282
Property Location:
13024 3RD AVENUE SE
EVERETT, WA 98208

Dear Customer:

Thank you for providing evidence of your insurance coverage. We have cancelled the policy we obtained on your behalf effective at 12:01 a.m. on 11/21/2015. We are refunding you \$694.00 which represents the unearned premium.

According to the information you provided, you do not have coverage for the entire term for which we placed coverage. The policy we obtained on your behalf remains in force for the time period of 07/21/2015 to 11/21/2015. We have charged you a premium of \$351.00.

If you had other coverage during this period of time please mail a copy of your policy (with your account number referenced) to the address shown below or fax to 1-937-525-4108. Please be sure your policy includes your account number, and a Mortgage Clause or Lenders Loss Payable Endorsement made out to:

WELLS FARGO BANK, N.A. #708
ITS SUCCESSORS AND/OR ASSIGNS
PO BOX 5708
SPRINGFIELD, OH 45501-5708

Loan Number: 0482277282

If you have any questions or believe there is an error in our records, please call us at 1-800-862-4098, Monday through Friday from 7:00 a.m. to 7:00 p.m., Central Time and one of our customer service professionals will be happy to help you. Thank you for your assistance.

Hazard Insurance Processing Center
Wells Fargo Bank, N.A.

EXHIBIT F

NAMED INSURED MORTGAGEE - Name and Address

Date: 08/09/2016

**WELLS FARGO BANK, N.A. #708
ITS SUCCESSORS AND/OR ASSIGNS
PO BOX 5708
SPRINGFIELD, OH 45501-5708**

Standard Guaranty Insurance Company

**PO Box 50355, Atlanta, GA 30302
A Stock Insurance Company**

**LENDER-PLACED INSURANCE
CONFIRMATION OF CANCELLATION**

BORROWER / MORTGAGOR - Name and Address

**JOHN A BABAROVICH
PO BOX 1429
VASHON, WA 98070-1429**

DESCRIBED LOCATION:

**13024 3RD AVENUE SE
EVERETT, WA 98208**

LOAN NUMBER: 0482277282

CERTIFICATE NUMBER: MLR21207386180

Dear Customer:

The Named Insured Mortgagee/Lender has requested cancellation of the lender-placed insurance that was issued in compliance with your mortgage/lien agreement. This cancellation is effective on 07/25/2015 at 12:01 a.m. Standard Time at the described location shown above. The reason for this cancellation is:

Named Insured's Request.

If you have any questions, please feel free to call your mortgage lender at 1-800-862-4098.

Sincerely,

Insurance Department

Replacement of Property (Fire) Insurance: If this cancellation or nonrenewal pertains to a certificate providing fire, extended coverage and vandalism and malicious mischief insurance and you wish to replace your insurance, you should make an effort to obtain insurance through another company in the normal market. If you have difficulty in procuring replacement coverage in the normal market, you possibly may obtain fire, extended coverage and vandalism and malicious mischief insurance through the Washington FAIR Plan. For further information, please contact your agent.

You may contact the Office of the Insurance Commissioner's Consumer Protection Services for assistance with questions or complaints at Consumer Protection Services, Office of the Washington State Insurance Commissioner, P.O. Box 40256, Olympia, Washington 98504-0256, Toll Free Telephone (800) 562-6900, Website Address: www.insurance.wa.gov.

EXHIBIT 3

MIKE KREIDLER

STATE INSURANCE COMMISSIONER

STATE OF WASHINGTON



www.insurance.wa.gov

OFFICE OF

INSURANCE COMMISSIONER

Certificate number **19413** is being issued to certify that the Insurance Commissioner of the State of Washington (OIC) has **ACCEPTED** service of process in the matter below.

Date Service of Process Accepted: 07/29/2019

Certificate Issued: 07/29/2019

Issued By: Carissa Hoff *CH*

Certificate Type: First Attempt

Certified Mailing Number: 7018 1830 0001 0245 0077

Service Requested Upon: STANDARD GUARANTY INSURANCE COMPANY
CORPORATION SERVICE COMPANY
300 Deschutes Way SW Suite 304
Tumwater, WA 98501 US

Authorized in Washington: Yes

Attorney Details: GREGORY L URSICH
INSLEE, BEST, DOEZIE & RYDER PS
10900 NE 4TH STREET
SUITE 1500
BELLEVUE, WA 98004 US
(425) 450-4266
gursich@insleebest.com

Case Number: 19-2-06599-31

Plaintiff: JOHN BABAROVICH, a married man,

Defendant: STANDARD GUARANTY INSURANCE
COMPANY, a Delaware corporation,

Documents: SUMMONS
COMPLAINT FOR BREACH OF CONTRACT, BAD FAITH, VIOLATION OF THE INSURANCE FAIR
CONDUCT ACT, AND CONSUMER PROTECTION ACT

Copies Sent To: GREGORY L URSICH
STANDARD GUARANTY INSURANCE COMPANY

EXHIBIT 4

ANNUAL STATEMENT

OF THE

STANDARD GUARANTY INSURANCE COMPANY

TO THE

Insurance Department

OF THE

STATE OF

**FOR THE YEAR ENDED
DECEMBER 31, 2018**

PROPERTY AND CASUALTY

2018



PROPERTY AND CASUALTY COMPANIES - ASSOCIATION EDITION

ANNUAL STATEMENTFOR THE YEAR ENDED DECEMBER 31, 2018
OF THE CONDITION AND AFFAIRS OF THE**Standard Guaranty Insurance Company**

NAIC Group Code 0019 (Current) NAIC Company Code 0019 (Prior) NAIC Company Code 42855 Employer's ID Number 58-1529579

Organized under the Laws of Delaware State of Domicile or Port of Entry DE
Country of Domicile United States of America

Incorporated/Organized 08/29/1960 Commenced Business 08/12/1960

Statutory Home Office 251 Little Falls Drive Wilmington, DE, US 19806
(Street and Number) (City or Town, State, Country and Zip Code)

Main Administrative Office 260 Interstate North Circle, SE
(Street and Number) Atlanta, GA, US 30339-2110
(City or Town, State, Country and Zip Code) 770-753-1000
(Area Code) (Telephone Number)

Mail Address 260 Interstate North Circle, SE Atlanta, GA, US 30339-2110
(Street and Number or P.O. Box) (City or Town, State, Country and Zip Code)

Primary Location of Books and Records 260 Interstate North Circle, SE
(Street and Number) Atlanta, GA, US 30339-2110
(City or Town, State, Country and Zip Code) 770-753-1000
(Area Code) (Telephone Number)

Internet Website Address www.assurant.com

Statutory Statement Contact Luz Prieto 305-253-2244-32450
(Name) (Area Code) (Telephone Number)
luz.prieto@assurant.com 305-258-7119
(E-mail Address) (FAX Number)

OFFICERS

President John August Frobose Treasurer Beech Hargis Turner
Secretary Jeannie Amy Aragon-Cruz Actuary Jeffrey Alan Lamy

OTHER

<u>Eduardo Arthur, Senior Vice President</u>	<u>Manuel Jose Becerra, Senior Vice President</u>	<u>Michael Campbell, Senior Vice President</u>
<u>Gregory Joseph DeChurch, General Counsel</u>	<u>Garrett Hoyt Hale, Senior Vice President</u>	<u>Jana Mercedes Hix, Senior Vice President</u>
<u>Gary Louis Lau, Vice President</u>	<u>Ivan Carlos Lopez-Morales, Senior Vice President</u>	<u>Katharine Ann McDonald, Senior Vice President</u>
<u>Keith Roland Meier, Senior Vice President</u>	<u>Tamkia LaTonia Morford, Vice President</u>	

DIRECTORS OR TRUSTEES

<u>Rebekah Susan Bando</u>	<u>John August Frobose</u>	<u>Bobbie Harrington</u>
<u>Julia Mercedes Hix</u>	<u>Ivan Carlos Lopez-Morales</u>	<u>Katharine Ann McDonald</u>
<u>Gary Turner</u>		

State of Georgia State of Florida State of Georgia
County of Fulton County of Miami-Dade County of Cobb SS:

The officers of this reporting entity being duly sworn, each depose and say that they are the described officers of said reporting entity, and that on the reporting period stated above, all of the herein described assets were the absolute property of the said reporting entity, free and clear from any liens or claims thereon, except as herein stated, and that this statement, together with related exhibits, schedules and explanations therein contained, annexed or referred to, is a full and true statement of all the assets and liabilities and of the condition and affairs of the said reporting entity as of the reporting period stated above, and of its income and deductions therefrom for the period ended, and have been completed in accordance with the NAIC Annual Statement Instructions and Accounting Practices and Procedures manual except to the extent that: (1) state law may differ; or, (2) that state rules or regulations require differences in reporting not related to accounting practices and procedures, according to the best of their information, knowledge and belief, respectively. Furthermore, the scope of this attestation by the described officers also includes the related corresponding electronic filing with the NAIC, when required, that is an exact copy (except for formatting differences due to electronic filing) of the enclosed statement. The electronic filing may be requested by various regulators in lieu of or in addition to the enclosed statement.

John August Frobose Jeannie Amy Aragon-Cruz Beech Hargis Turner
President Secretary Treasurer

State of Georgia, County of Fulton

Subscribed and sworn to before me this

day of January, 2019.Michelle Pechin

Michelle Pechin

Notary Public

10/09/2022

a. Is this an original filing? ☐ Yes ☒ No ☐

b. If no,

1. State the amendment number _____

2. Date filed _____

3. Number of pages attached _____

State of Florida, County of Miami-Dade

Subscribed and sworn to before me this

day of January, 2019.Adriana L. Rayner

Adriana L. Rayner

Notary Public

07/31/2021

State of Georgia, County of Cobb

Subscribed and sworn to before me this

day of January, 2019.Beech Hargis Turner

Beech Hargis Turner

Notary Public

10/25/2020





**GEORGIA
CORPORATIONS
DIVISION**

GEORGIA SECRETARY OF STATE
**BRAD
RAFFENSPERGER**

[HOME \(/\)](#)

BUSINESS SEARCH

BUSINESS INFORMATION

Business Name:	STANDARD GUARANTY INSURANCE COMPANY	Control Number:	J352116
Business Type:	Domestic Insurance Company	Business Status:	Active/Compliance
Business Purpose:	NONE		
Principal Office Address:	260 Interstate No. Circle, SE, Atlanta, GA, 30339, USA	Date of Formation / Registration Date:	1/1/1984
State of Formation:	Delaware	Last Annual Registration Year:	2019

REGISTERED AGENT INFORMATION

Registered Agent
Name: **CORPORATION SERVICE COMPANY**

Physical Address: **40 TECHNOLOGY PARKWAY SOUTH, SUITE 300, NORCROSS, GA,
30092, USA**

County: **Gwinnett**

OFFICER INFORMATION

Name	Title	Business Address
Beech Turner	CFO	260 Interstate North Circle SE, Atlanta, GA, 30339, USA
Jeannie Amy Aragon-Cruz	Secretary	11222 Quail Roost Drive, Miami, FL, 33157, USA
John August Frobose	CEO	260 Interstate North Circle SE, Atlanta, GA, 30339, USA

Office of the Georgia Secretary of State Attn: 2 MLK, Jr. Dr. Suite 313, Floyd West Tower Atlanta, GA 30334-
Back 1530, Phone: (404) 656-2817 Toll-free: (844) 753-7825, WEBSITE: <https://sos.ga.gov/>
© 2015 PCC Technology Group. All Rights Reserved. Version 5.7.3 [Return to Business Search](#) [Report a Problem?](#)

EXHIBIT 5

Insurance Commissioner
ACCEPTED SOP

JUL 29 2019

TIME: 2pm

FILED

JUL 19 2019

SONYA KRASKI
COUNTY CLERK
SNOHOMISH CO. WASH.

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF SNOHOMISH

JOHN BABAROVICH, a married man,

Plaintiff,

vs.

STANDARD GUARANTY INSURANCE
COMPANY, a Delaware corporation,

Defendant.

NO.

19 2 06599 31

SUMMONS

TO THE DEFENDANTS:

A lawsuit has been started against you in the above entitled court by John Babarovich, a married man, the Plaintiff. The Plaintiff's claim is stated in the written complaint, a copy of which is served upon you with this Summons.

In order to defend against this lawsuit, you must respond to the Complaint by stating your defense in writing, and serve a copy upon the undersigned attorney for the Plaintiff within twenty (20) days after the service of this Summons, excluding the day of service, or within sixty (60) days if service is made upon you outside of the State of Washington, or a default judgment may be entered against you without notice. A default judgment is one where the Plaintiff is entitled to what it asks for because you have not responded. If you serve a

SUMMONS - Page 1

INSLEE Skyline Tower
Suite 1500
BEST 10900 NE 4th Street
Bellevue, WA 98004
425.455.1234 | www.insleebest.com

1 Notice of Appearance on the undersigned attorney, you are entitled to notice before a default
2 judgment may be entered.

3 You may demand that the Plaintiff file this lawsuit with the Court. If you do so, the
4 demand must be in writing and must be served upon the Plaintiff. Within fourteen (14) days
5 after you serve the demand, the Plaintiff must file this lawsuit with the Court, or the service on
6 you of this Summons and Complaint will be void.

7 If you wish to seek the advice of an attorney in this matter, you should do so promptly
8 so that your written response, if any, may be served on time.

9 This Summons is issued pursuant to Rule 4 of the Superior Court Rules of the State of
10 Washington.

11 RESPECTFULLY SUBMITTED this 19th day of June, 2019.

12 INSLEE, BEST, DOEZIE & RYDER, P.S.

13 By Gregory L. Ursich

14 Gregory L. Ursich, WSBA #18614

15 10900 NE 4th St., Suite 1500

16 Bellevue, WA 98004

17 Phone: (425) 450-4266

18 Email: gursich@insleebest.com

19 Attorneys for Plaintiff

20
21
22
23 SUMMONS - Page 2

24 948910.1 - 365474 -0001

INSLEE Skyline Tower
Suite 1500
BEST 10900 NE 4th Street
Bellevue, WA 98004
425.455.1234 | www.insleebest.com

EXHIBIT 6

19-2-06599-31
CICS 1
Case Information Cover Sheet
6133191



FILED

2019 JUL 19 PM 3:57

SONYA KRASKI
COUNTY CLERK
SNOHOMISH CO. WASH

CIVIL

SNOHOMISH COUNTY SUPERIOR COURT

Case Information Cover Sheet (CICS)

19 2 06599 31

Case Number

Case Title

Babarovich v. Standard Guaranty

Attorney Name Gregory L. Ursich

Bar Membership Number 18614

Please check one category that best describes this case for indexing purposes. Accurate case indexing not only saves time in docketing new cases, but helps in forecasting needed judicial resources. Cause of action definitions are listed on the back of this form. Thank you for your cooperation.

- | | |
|---|--|
| <input type="checkbox"/> ABJ Abstract of Judgment | <input type="checkbox"/> PRG Property Damage – Gangs |
| <input type="checkbox"/> ALR Administrative Law Review | <input type="checkbox"/> PRP Property Damages |
| <input type="checkbox"/> ALRJT Administrative Law Review-Jury Trial (L&I) | <input type="checkbox"/> QTI Quiet Title |
| <input type="checkbox"/> CRP Petition for Certificate of Restoration of Opportunity | <input type="checkbox"/> RDR Relief from Duty to Register |
| <input type="checkbox"/> CHN Non-Confidential Change of Name | <input type="checkbox"/> RFR Restoration of Firearm Rights |
| <input type="checkbox"/> COL Collection | <input type="checkbox"/> SDR School District-Required Action Plan |
| <input type="checkbox"/> CON Condemnation | <input type="checkbox"/> SPC Seizure of Property-Commission of Crime |
| <input type="checkbox"/> COM Commercial | <input type="checkbox"/> SPR Seizure of Property-Resulting from Crime |
| <input type="checkbox"/> DOL Appeal Licensing Revocation | <input type="checkbox"/> STK Stalking Petition |
| <input type="checkbox"/> DVP Domestic Violence | <input type="checkbox"/> SXP Sexual Assault Protection |
| <input type="checkbox"/> EOM Emancipation of Minor | <input type="checkbox"/> TAX Employment Security Tax Warrant |
| <input type="checkbox"/> FJU Foreign Judgment | <input type="checkbox"/> TAX L & I Tax Warrant |
| <input type="checkbox"/> FOR Foreclosure | <input type="checkbox"/> TAX Licensing Tax Warrant |
| <input type="checkbox"/> FPO Foreign Protection Order | <input type="checkbox"/> TAX Revenue Tax Warrant |
| <input type="checkbox"/> HAR Unlawful Harassment | <input type="checkbox"/> TMV Tort – Motor Vehicle |
| <input type="checkbox"/> INJ Injunction | <input type="checkbox"/> TRJ Transcript of Judgment |
| <input type="checkbox"/> INT Interpleader | <input type="checkbox"/> TTO Tort – Other |
| <input type="checkbox"/> LCA Lower Court Appeal – Civil | <input type="checkbox"/> TXF Tax Foreclosure |
| <input type="checkbox"/> LCI Lower Court Appeal – Infractions | <input type="checkbox"/> UND Unlawful Detainer – Commercial |
| <input type="checkbox"/> LUPA Land Use Petition Act | <input type="checkbox"/> UND Unlawful Detainer – Residential |
| <input type="checkbox"/> MAL Other Malpractice | <input type="checkbox"/> VAP Vulnerable Adult Protection Order |
| <input type="checkbox"/> MED Medical Malpractice | <input type="checkbox"/> VVT Victims of Motor Vehicle Theft-Civil Action |
| <input type="checkbox"/> MHA Malicious Harassment | <input type="checkbox"/> WDE Wrongful Death |
| <input checked="" type="checkbox"/> MSC2 Miscellaneous – Civil | <input type="checkbox"/> WHC Writ of Habeas Corpus |
| <input type="checkbox"/> MST2 Minor Settlement – Civil (No Guardianship) | <input type="checkbox"/> WMW Miscellaneous Writs |
| <input type="checkbox"/> PCC Petition for Civil Commitment (Sexual Predator) | <input type="checkbox"/> WRM Writ of Mandamus |
| <input type="checkbox"/> PFA Property Fairness Act | <input type="checkbox"/> WRR Writ of Restitution |
| <input type="checkbox"/> PIN Personal Injury | <input type="checkbox"/> WRV Writ of Review |
| <input type="checkbox"/> PRA Public Records Act | <input type="checkbox"/> XRP Extreme Risk Protection Order |

IF YOU CANNOT DETERMINE THE APPROPRIATE CATEGORY, PLEASE DESCRIBE THE CAUSE OF ACTION BELOW.

Please Note: Public information in court files and pleadings may be posted on a public Web site.

EXHIBIT 7

MIKE KREIDLER
STATE INSURANCE COMMISSIONER

19-2-06599-31
ACSR 4
Acceptance of Service
6384896



STATE OF WASHINGTON



OFFICE OF
INSURANCE COMMISSIONER

www.insurance.wa.gov

RECEIVED

AUG 01 2019

INSLEE, BEST, ET AL.

Certificate number **19413** is being issued to certify that the Insurance Commissioner of the State of Washington (OIC) has **ACCEPTED** service of process in the matter below.

Date Service of Process Accepted: 07/29/2019
Certificate Issued: 07/29/2019
Issued By: Carissa Hoff *CH*
Certificate Type: First Attempt
Certified Mailing Number: 7018 1830 0001 0245 0077
Service Requested Upon: STANDARD GUARANTY INSURANCE COMPANY
CORPORATION SERVICE COMPANY
300 Deschutes Way SW Suite 304
Tumwater, WA 98501 US

Authorized in Washington: Yes
Attorney Details: GREGORY L URSICH
INSLEE, BEST, DOEZIE & RYDER PS
10900 NE 4TH STREET
SUITE 1500
BELLEVUE, WA 98004 US
(425) 450-4266
gursich@insleebest.com

Case Number: 19-2-06599-31

Plaintiff: JOHN BABAROVICH, a married man,

Defendant: STANDARD GUARANTY INSURANCE
COMPANY, a Delaware corporation,

Documents: SUMMONS
COMPLAINT FOR BREACH OF CONTRACT, BAD FAITH, VIOLATION OF THE INSURANCE FAIR
CONDUCT ACT, AND CONSUMER PROTECTION ACT

Copies Sent To: GREGORY L URSICH
STANDARD GUARANTY INSURANCE COMPANY

FILED
2019 AUG 21 AM 11:41
SONYA KRASKI
COUNTY CLERK
SNODGRASS CO. WASH

FILED

2019 AUG 21 PM 1:54

SONYA KRASKI
COUNTY CLERK
SNOHOMISH CO. WASH

19-2-06599-31
MTDFL 6
Motion for Default
6384907



IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF SNOHOMISH

JOHN BABAROVICH, a married man,

Plaintiff,

NO. 19-2-06599-31

vs.

**MOTION AND DECLARATION FOR
ORDER OF DEFAULT**

STANDARD GUARANTY INSURANCE
COMPANY, a Delaware corporation,

Defendant.

I. MOTION

COMES NOW, Plaintiff JOHN BABAROVICH, a married man, by and through his
attorneys, Inslee, Best, Doezie & Ryder, P.S., and move the Court for an order adjudging
Defendants STANDARD GUARANTY INSURANCE COMPANY, to be in default herein,
pursuant to CRSS.

This Motion is based upon the records and files herein and the subjoined Declaration,
with Acceptance of Service attached
DATED this 21 day of August, 2019.

INSLEE, BEST, DOEZIE & RYDER, P.S.

By

Gregory L. Ursich

Gregory L. Ursich, W.S.B.A. #18614
Attorneys for Plaintiff

II. DECLARATION

GREGORY L. URSICH states and declares as follows:

1. I am an attorney with Inslee, Best, Doezie & Ryder, P.S., attorneys for Plaintiff JOHN BABAROVICH, a married man, in the above-entitled action, that I am of legal age, and that I have personal knowledge of the facts stated herein based on reviewing the documents and pleadings contained in Plaintiff's file, as well as an online search of the Snohomish County Superior Court Records for documents filed in this case.

2. That service of Plaintiff's Complaint for Breach of Contract, Bad Faith, Violation of the Insurance Fair Conduct Act and Consumer Protection Act ("Complaint") was duly and regularly made upon the State of Washington Office of Insurance Commissioner via certified mail on July 29, 2019. Attached as **Exhibit A** is a true and correct copy of the Insurance Commissioner's Acceptance of Service. *A copy of the acceptance of service has been filed with the court.*

3. Defendant has not filed or served an answer to the Complaint in this action and *of 20 days appearance as appearance of G.L.U.* the time period for an answer by the Defendant has expired.

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

SIGNED this 21 day of August, 2019 at Bellevue, Washington.

Gregory L. Ursich

Gregory L. Ursich, W.S.B.A. #18614

EXHIBIT 9

19-2-06599-31
ORDFL 6
Order of Default
6384910



FILED

2019 AUG 21 PM 1:54

SONYA KRASKI
COUNTY CLERK
SNOHOMISH CO. WASH

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF SNOHOMISH

JOHN BABAROVICH, a married man,

Plaintiff,

NO. 19-2-06599-31

ORDER OF DEFAULT

vs.

[Proposed]

STANDARD GUARANTY INSURANCE
COMPANY, a Delaware corporation,

Defendant.

THIS MATTER having come before the Court upon Plaintiff JOHN BABAROVICH'S
Motion and Declaration for Order of Default *under CR55* against Defendant STANDARD GUARANTY
INSURANCE COMPANY, and this Court having considered the following:

1. Plaintiff's Motion and Declaration for Order of Default, with Exhibit;
including the Acceptance of Service by the
2. *Insurance Commissioner of the State of*
3. *Washington, dated July 29, 2019, and*

Having been fully advised in the premises and being familiar with the particulars herein,
and finding good cause therefore, it is hereby ORDERED, ADJUDGED, AND DECREED that

1 Plaintiff's Motion and Declaration for Order of Default against Defendant STANDARD
2 GUARANTY INSURANCE COMPANY is hereby GRANTED.

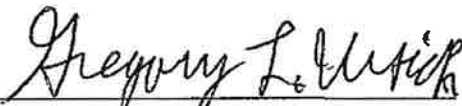
3 It is further ORDERED, ADJUDGED, and DECREED that Defendant STANDARD
4 GUARANTY INSURANCE COMPANY is declared to be in default.

5 DATED this ____ day of AUG 21 2019.

6
7 
Commissioner

8 Presented by:

9 INSLEE, BEST, DOEZIE & RYDER, P.S.

10
11 By 

12 Gregory L. Ursich, WSBA #18614
13 10900 NE 4th Street, Suite 1500
14 Bellevue, Washington 98004
Tel: (425) 455-1234
Fax: (425) 635-7720
Email: gursich@insleebest.com

15 Attorneys for Plaintiff John Babarovich
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EXHIBIT 10

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF SNOHOMISH

JOHN BABAROVICH, a married man,
Plaintiff,

vs.

STANDARD GUARANTY INSURANCE
COMPANY, a Delaware corporation,
Defendant.

NO. 19-2-06599-31

ORDER VACATING DEFAULT

[Proposed]

THIS MATTER having come before the Court upon Plaintiff JOHN BABAROVICH'S
Motion and Declaration for Order Vacating Default against Defendant STANDARD
GUARANTY INSURANCE COMPANY, and this Court having considered the following:

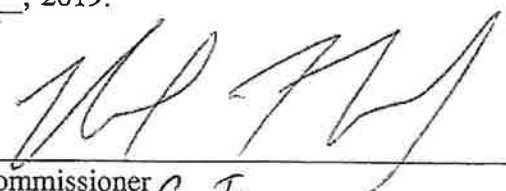

1. Plaintiff's Motion and Declaration for Order Vacating Default;
2. _____;
3. _____; and
4. _____.

Having been fully advised in the premises and being familiar with the particulars herein,
and finding good cause therefore, it is hereby ORDERED, ADJUDGED, AND DECREED that

1 Plaintiff's Motion and Declaration for Order Vacating Default against Defendant STANDARD
2 GUARANTY INSURANCE COMPANY is hereby GRANTED.

3 It is further ORDERED, ADJUDGED, and DECREED that the Default entered against
4 Defendant STANDARD GUARANTY INSURANCE COMPANY on August 21, 2019 is
5 hereby VACATED.

6 DATED this 29th day of August, 2019.

7
8 
Commissioner 

9 Presented by:

10 INSLEE, BEST, DOEZIE & RYDER, P.S.

11
12 By 

13 Curtis J. Chambers, WSBA #42984
14 10900 NE 4th Street, Suite 1500
Bellevue, Washington 98004
15 Tel: (425) 455-1234
Fax: (425) 635-7720
Email: cchambers@insleebest.com

16 Attorneys for Plaintiff John Babarovich
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